

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

CYNTHIA E. BENNETT WRIGHT,)	CIVIL ACTION NO. 5:12-cv-02284-JMC
)	
Plaintiff,)	
)	
v.)	
)	
CAROLYN W. COLVIN,)	ORDER
ACTING COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	
)	

This matter is before the court pursuant to Plaintiff's counsel's Motion for Attorney's Fees under 42 U.S.C. § 406(b)¹ and Local Rule 83.VII.07, D.S.C. (ECF No. 47.) Plaintiff's counsel seeks reimbursement for his representation in the amount of \$24,163.00 from the past-due benefits of Plaintiff and her dependent. (*Id.* at 1.) The attorney's fee requested is 25% of the total of the past-due benefit. The Commissioner did not file specified opposition to Plaintiff's Motion for Fees. (*See* ECF No. 49.)

The court has reviewed counsel's Motion and finds the request for fees reasonable in accordance with Gisbrecht v. Barnhart, 535 U.S. 789, 796 (2002). Therefore, the court **GRANTS** the Motion and finds that Plaintiff's counsel is entitled to an award of attorney's fees under 42 U.S.C. § 406(b) in the amount of \$24,163.00 amounting to 25% of the past-due benefits of Plaintiff and her dependent. Fees under 42 U.S.C. § 406(b) are paid from Plaintiff's

¹ The statute provides that "[w]henever a court renders a judgment favorable to a claimant under this subchapter who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment," 42 U.S.C. § 406(b)(1)(A).

benefits and those of her dependent, rather than from agency funds, based on a contract between Plaintiff and her attorney.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 13, 2015
Columbia, South Carolina